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Electronically filed on May 18, 2017

*Counsel for Timothy L. Blixseth*

**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

In re

TIMOTHY L. BLIXSETH,

Alleged Debtor.

Case No. BK-S-11-15010-mkn

Chapter 7 (Involuntary)

**ALLEGED DEBTOR'S EVIDENTIARY  
OBJECTIONS TO DECLARATAION  
OF KEVIN W. BARRETT IN SUPPORT  
OF THE YELLOWSTONE CLUB  
LIQUIDATING TRUST'S OBJECTION  
TO DEBTOR'S MOTION FOR AN  
ORDER TO SHOW CAUSE AND  
CROSS MOTION FOR SANCTIONS**

Hearing Date: June 7, 2017

Hearing Time: 2:30 p.m.

Alleged Debtor, Timothy L. Blixseth ("Mr. Blixseth") submits the following evidentiary objections to the "Declaration of Kevin W. Barrett in Support of the Yellowstone Club Liquidating Trust's Objection to Debtor's Motion For An Order to Show Cause and Cross Motion For Sanctions" signed by Declarant Kevin Barrett ("Declarant"), the attorney for the trustee of the Yellowstone Club Liquidating Trust ("YCLT"). Mr. Blixseth respectfully requests this Court sustain each evidentiary objection.

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EVIDENTIARY OBJECTIONS

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1. Barrett Declaration Ex. A.

Complaint (without exhibits) filed in Adv. Proc. No. 09-00064 of the Yellowstone Mountain Club, LLC bankruptcy.

Objections.

Relevance. Fed. R. Evid. 401, 402, 403. Allegations made in a complaint in a case filed in another jurisdiction are irrelevant. Hearsay. Fed. R. Evid. 801, 802. The contents of the alleged document are out of court statements improperly being offered for the truth of what they assert.

2. Barrett Declaration Ex. B.

YCLT's motion for injunctive relief filed in Adv. Proc. No. 09-00064 of the Yellowstone Mountain Club, LLC bankruptcy.

Objections.

Relevance. Fed. R. Evid. 401, 402, 403. Irrelevant to the motion. Hearsay. Fed. R. Evid. 801, 802. The contents of the alleged document are out of court statements improperly being offered for the truth of what they assert.

3. Barrett Declaration Ex. C.

Initial stipulated injunction filed in Adv. Proc. No. 09-00064 of the Yellowstone Mountain Club, LLC bankruptcy.

Objections.

Relevance. Fed. R. Evid. 401, 402, 403. Irrelevant to the motion. Hearsay. Fed.

1 R. Evid. 801, 802. The contents of the alleged document are out of court statements improperly  
2 being offered for the truth of what they assert.

3 4. Barrett Declaration Ex. D.

4 Last stipulated order filed in filed in Adv. Proc. No. 09-00064 of the Yellowstone  
5 Mountain Club, LLC bankruptcy.

6 Objections.

7 Relevance. Fed. R. Evid. 401, 402, 403. Irrelevant to the motion. Hearsay. Fed.  
8 R. Evid. 801, 802. The contents of the alleged document are out of court statements improperly  
9 being offered for the truth of what they assert.

10 5. Barrett Declaration Ex. E.

11 Complaint filed in Adv. Pro. No. 10-00015 of the Yellowstone Mountain Club, LLC  
12 bankruptcy.

13 Objections.

14 Relevance. Fed. R. Evid. 401, 402, 403. Allegations made in a Complaint filed  
15 in another jurisdiction where Alleged Debtor was not a party are irrelevant to the motion.  
16 Hearsay. Fed. R. Evid. 801, 802. The contents of the alleged document are out of court statements  
17 improperly being offered for the truth of what they assert.

18 6. Barrett Declaration Ex. F.

19 YCLT's motion for injunctive relief filed in Adv. Pro. No. 10-00015 of the Yellowstone  
20 Mountain Club, LLC bankruptcy.

21 Objections.

22 Relevance. Fed. R. Evid. 401, 402, 403. Allegations made in a motion filed in  
23  
24  
25

1 another jurisdiction where Alleged Debtor was not a party are irrelevant to the motion. Hearsay.  
2 Fed. R. Evid. 801, 802. The contents of the alleged document are out of court statements  
3 improperly being offered for the truth of what they assert.

4 7. Barrett Declaration Ex. G.

5 Copy of order for injunctive relief filed in Adv. Pro. No. 10-00015 of the Yellowstone  
6 Mountain Club, LLC bankruptcy.

7 Objections.

8 Relevance. Fed. R. Evid. 401, 402, 403. An order from another jurisdiction in a  
9 case where Alleged Debtor was not a party is irrelevant to the motion. Hearsay. Fed. R. Evid.  
10 801, 802. The contents of the alleged document are out of court statements improperly being  
11 offered for the truth of what they assert.

12 8. Barrett Declaration Ex. H.

13 Copy of YCLT's motion for an order to show cause filed Case No. 2:13-cv-00068.

14 Objections.

15 Relevance. Fed. R. Evid. 401, 402, 403. A motion filed in another jurisdiction  
16 is irrelevant to this motion. Hearsay. Fed. R. Evid. 801, 802. The contents of the alleged  
17 document are out of court statements improperly being offered for the truth of what they assert.

18 9. Barrett Declaration Ex. I.

19 Copy of Alleged Debtor's Declaration filed in response to YCLT's motion for an order to  
20 show cause filed Case No. 2:13-cv-00068.

21 Objections.

22 Relevance. Fed. R. Evid. 401, 402, 403. Irrelevant to this motion. Hearsay. Fed.  
23 R. Evid. 801, 802. The contents of the alleged document are out of court statements improperly  
24

1 being offered for the truth of what they assert.

2 10. Barrett Declaration Ex. J.

3 Copy of Order of Contempt filed Case No. 2:13-cv-00068.

4 Objections.

5 Relevance. Fed. R. Evid. 401, 402, 403. Irrelevant to this motion. Hearsay. Fed.  
6 R. Evid. 801, 802. The contents of the alleged document are out of court statements improperly  
7 being offered for the truth of what they assert.

8 11. Barrett Declaration Ex. K.

9 Copy of Declaration of Patrick Ratte (with excerpts from Exhibit 1) filed Case No. 2:13-  
10 cv-00068.

11 Objections.

12 Relevance. Fed. R. Evid. 401, 402, 403. Irrelevant to this motion. Hearsay. Fed.  
13 R. Evid. 801, 802. The contents of the alleged document are out of court statements improperly  
14 being offered for the truth of what they assert.

15 12. Barrett Declaration Ex. L.

16 Copy of YCLT's request for additional orders to show cause filed Case No. 2:13-cv-  
17 00068.

18 Objections.

19 Relevance. Fed. R. Evid. 401, 402, 403. Irrelevant to this motion. Hearsay. Fed.  
20 R. Evid. 801, 802. The contents of the alleged document are out of court statements improperly  
21 being offered for the truth of what they assert.

22 13. Barrett Declaration Ex. M.

23 Copy of order directing Alleged Debtor's incarceration filed Case No. 2:13-cv-  
24  
25

EVIDENTIARY OBJECTIONS

00068.

Objections.

Relevance. Fed. R. Evid. 401, 402, 403, 404. Irrelevant to this motion. Hearsay. Fed. R. Evid. 801, 802. The contents of the alleged document are out of court statements improperly being offered for the truth of what they assert.

14. Barrett Declaration Ex. N.

Copy of the Alleged Debtor's declaration in opposition to the order to show cause filed Case No. 2:13-cv-00068.

Objections.

Relevance. Fed. R. Evid. 401, 402, 403, 404. Irrelevant to this motion. Hearsay. Fed. R. Evid. 801, 802. The contents of the alleged document are out of court statements improperly being offered for the truth of what they assert.

15. Barrett Declaration Ex. O.

Copy of finding of fact and conclusions of law, and order filed Case No. 2:13-cv-00068.

Objections.

Relevance. Fed. R. Evid. 401, 402, 403, 404. Irrelevant to this motion. Hearsay. Fed. R. Evid. 801, 802. The contents of the alleged document are out of court statements improperly being offered for the truth of what they assert.

16. Barrett Declaration Ex. P.

Copy of special verdict in Case No. 2:14-cv-01576-RAJ.

Objections.

Relevance. Fed. R. Evid. 401, 402, 403, 404. Irrelevant to this motion. Hearsay. Fed. R. Evid. 801, 802. The contents of the alleged document are out of court statements

EVIDENTIARY OBJECTIONS

1 improperly being offered for the truth of what they assert.

2 17. Barrett Declaration Ex. Q.

3 Copy of the order denying YCLT's motion to withdraw certain orders to show cause filed  
4 Case No. 2:13-cv-00068.

5 Objections.

6 Relevance. Fed. R. Evid. 401, 402, 403, 404. Irrelevant to this motion. Hearsay.  
7 Fed. R. Evid. 801, 802. The contents of the alleged document are out of court statements  
8 improperly being offered for the truth of what they assert.

9 Dated: May 17, 2017

Respectfully Submitted,

10 /s/ Jenny L Doling

11 Jenny L Doling/Summer Shaw

12 Attorney for Alleged Debtor, Timothy L Blixseth